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Name: Nada Jain

Signature: [Handwritten Signature]

Docket No. 1010/0133US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Harold H. Schmitz

Filed: December 2, 2003 Group Art Unit:

Serial No: 10/725,805 Examiner:

For: FLAVANOLS AND PROCYANIDINS PROMOTE HOMEOSTASIS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon.

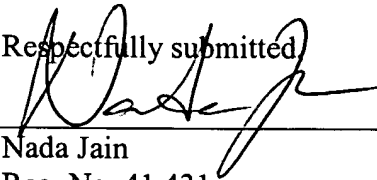
Applicants respectfully request the Examiner's consideration of the cited references and entry into the record of this application and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

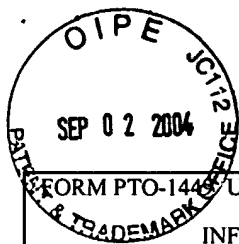
The present Information Disclosure Statement has been submitted prior to the receipt of an Office Action in this application. Accordingly, no fee is due. However, in the event that a first Office Action was mailed on or before the date of submission of this disclosure statement, the Commissioner is hereby authorized to charge any fees to deposit Account No. 50-2549.

Date: August 30, 2004

Respectfully submitted

  
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FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Serial No. 10/725,805
	Inventors: Harold H. Schmitz
	Docket No. 1010/0133US1

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
		01/45726 A2	6/28/01	WO	Yes

#### OTHER DOCUMENTS

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		Mao, T.K., et al., <i>Modulation of TNF-<math>\alpha</math> Secretion in Peripheral Blood Mononuclear Cells by Cocoa Flavanols and Procyanidins</i> , <u>Developmental Immunology</u> , September 2002, Vol. 9(3), pp. 135-141
		Mao, T.K., et al., <i>Effect of Cocoa Flavanols and Their Related Oligomers on the Secretion of Interleukin-5 in Peripheral Blood Mononuclear Cells</i> , <u>Journal of Medicinal Food</u> , Vol. 5, No. 1, 2002
		Mao, T.K., et al., <i>The Effect of Cocoa Procyanidins on the Transcription and Secretion of Interleukin 1<math>\beta</math> in Peripheral Blood Mononuclear Cells</i> , <u>Life Sciences</u> , Vol. 66, No. 15, pp. 1377-1386, 2000
		Mao, T.K., et al., <i>Cocoa Procyanidins and Human Cytokine Transcription and Secretion</i> , <u>American Society for Nutritional Sciences</u> , 0022-3166/00, 2000
		Mao, T.K., et al., <i>Cocoa Flavanols and Procyanidins Promote Transforming Growth Factor-<math>\beta</math>1 Homeostasis in Peripheral Blood Mononuclear Cells</i> , <u>Society for Experimental Biology and Medicine</u> , 2003
		Park, Young Chul, et al., <i>Activity of Monomeric, Dimeric, and Trimeric Flavonoids on NO Production, TNF-<math>\alpha</math> Secretion, and NF-<math>\kappa</math>B-dependent Gene Expression in RAW 264.7 Macrophages</i> , <u>FEBS Letters</u> , Vol. 465, pp. 93-97 (2000)
		Mao, T.K., et al., <i>The Influence of Cocoa Procyanidins on the Transcription of Interleukin-2 in Peripheral Blood Mononuclear Cells</i> , <u>International Journal of Immunotherapy</u> , Vol. 15, No. 1, pp. 23-29 (1999)
		Mao, T.K., et al., <i>Effect of Cocoa Procyanidins on the Secretion of Interleukin-4 in Peripheral Blood Mononuclear Cells</i> , <u>Journal of Medicinal Food</u> , 3:107-114 (2000)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Form PTO-1449